



56 Prospect Street
P.O. Box 270
Hartford, CT 06103

Kathleen M. Shanley
Manager – Transmission Siting
Tel: (860) 728-4527

February 8, 2021

Ms. Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: **SUB-PETITION NO. 1293 - BMM-01 (Berlin, Middletown and Middlefield)** – Eversource Energy declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for all transmission facility asset condition maintenance improvements statewide to comply with the updated National Electrical Safety Code clearance requirements.

Dear Ms. Bachman:

I am in receipt of the letter you forwarded to Eversource Energy (“Eversource”), dated February 3, 2021, prepared by LANDTECH, alleging that ongoing maintenance work along Eversource’s 1765/1766 Transmission Line directly to the south of 97 Poplar Road in Middletown potentially contributed to a pre-existing erosion and sediment control issue within a small pond on the property upgradient from Eversource’s work. Thank you for forwarding the letter as, though named in LANTECH’s letter, Eversource was not provided a courtesy copy and appreciates the opportunity to provide a response.

As outlined more fully below, Eversource was very aware of erosion and sedimentation issues at the pond prior to initiating the maintenance activities. Eversource routinely employs erosion and sedimentation control best management practices (“BMPs”) that include laying down temporary construction matting to cross a resource area. Eversource also performs weekly inspections during the execution of the work to ensure that these BMPs are maintained and that there are no issues. Any deviation from the expected performance of its BMPs is corrected immediately. Following receipt of this letter, Eversource’s Senior Environmental Specialist again visited the site on February 4, 2021 and identified no areas of immediate concern associated with Eversource’s work at this location. Snow covering the ground surface on this site visit impeded direct soil observations. However, the wetland resource crossing appeared to be functioning as intended. Please see below for detail regarding Eversource’s activities in this regard:

Pre-Construction

During Eversource's pre-construction walkdown (May 2020) for the ongoing 1765/1766 Project, which involves replacement of existing aged transmission structures, sediment buildup in the pond was observed and documented. The sedimentation in the pond was discussed with the landowner who acknowledged that this was a pre-existing issue resulting from upstream impacts. Photographs taken on May 27, 2020 (attached) depict the pond located at 97 Poplar with substantial sediment within the basin. The second photograph attached, taken facing south, depicts an active construction site completely unrelated to Eversource's work containing soil piles and excavation equipment located upslope of and off Eversource's' ROW.

Construction BMPs and Monitoring

All work by Eversource contractors is conducted in accordance with Eversource's Best Management Practices Manual for Massachusetts and Connecticut (September 2016), a document the Connecticut Siting Council is familiar with. This work was also conducted in accordance with Department of the Army General Permit for the State of Connecticut, for which a Self-Verification Notification Form was submitted on June 30, 2020.

Construction on the 1765/1766 Project was initiated during the week of August 7, 2020. Temporary timber matting was installed per the BMPs (laid across the water course and not dug into the bank) and has been employed specifically to avoid excavation and grading for access road and work pad areas that are required to facilitate the passage of heavy machinery used during the installation of the new transmission structures. Placement of the temporary matting is routinely used to span small water courses, as was the case at this location where the timber matting effectively spans the (south-north flowing) drainage channel, located central to the wetland. No excavation occurred in the wetland. The nearest "excavation" associated with 1765/1766 Project was for installation of the structure anchors located approximately 65-feet east of the wetland. The structures these anchors support are located an additional 10-feet further away from the wetland, to the east. Temporary anchoring-related excavation was previously backfilled in November 2020 with no evidence of sediment migration.

Weekly inspections of the 1765/1766 Project are performed by Eversource's contractor who is a Certified Professional in Erosion and Sediment Control. No erosion control or sedimentation issues have ever been identified at this location. Representative photos from two of these inspections are also attached. These photos were taken facing east and southeast at the single wetland crossing that is located less than 100-feet upslope of the impacted pond.

Installation of the two new structures proximal to the wetland has been completed and supporting anchors and other final work involving heavy machinery at this location, will be completed in the next 2-3 weeks. At this time temporary timber matting will be removed as part of standard demobilization. This will include the following measures to protect the wetland resource:

Kathleen M. Shanley

Manager – Transmission Siting

Tel: (860) 728-4527

- Environmental Inspector monitoring of this location will be conducted after each rain event to observe any issues related to erosion control and provided management of any concerns immediately with the civil contractor's support;
- Environmental Inspector oversight during temporary matting removal; and,
- Applicable erosion controls (e.g. haybales, silt fence, straw wattles) to control any sediment that may be released locally during matting removal. Sediment release is not anticipated but measures will be employed.

Should you have any questions regarding this submission, please do not hesitate to contact me at via email at kathleen.shanley@eversource.com or telephone at 860-728-4527.

Sincerely,



Enclosures

cc (via email): Mr. Brendan Schain, DEEP Office of Adjudications
Mr. Brian Thompson, Director, DEEP Land and Water Resources Division
The Honorable Benjamin Florsheim, Mayor, City of Middletown
Mr. Christopher P. Allan, LANDTECH